

REMARKS/ARGUMENTS

This is responsive to the Office Action dated April 1, 2003.

Allowable Claims

The Examiner found patentable subject matter in claims 28 and 29. These claims are being rewritten in independent form and allowance is requested.

New claims 31-36 are also submitted to be allowable.

Formal Matters

In the disclosure, the Examiner objected to inconsistent usage of the terms "casing," "covers," "cover plates" and numerals 6 and 7. The specification has been revised and all such terminology, including terminology corresponding to references 6 and 7 and like elements and parts in other embodiments, have been revised to consistently use the term "cover plate" and the like. The objection is therefore requested to be withdrawn.

The Examiner objected to the drawings on the ground that the proposed correction to Fig. 8a, submitted in the last amendment, could not be seen on the copy received by the Examiner. Another copy of the proposed drawing correction is enclosed which clearly shows the block 70 which is proposed to be added to Fig. 8a. Approval is requested.

The Examiner objected to several claims and rejected other claims under 35 U.S.C. 112, second paragraph. See pages 2-3 of the Office Action. The claims have been revised to address all of the Examiner's objections and grounds for rejection. The claims are now believed to be in good form for examination and allowance.

Referring to the "pressure sensor (16)" recited in claim 11, this element is readable for example on the switch 16 disclosed in Figure 1, which is responsive to manual pressure as explained in the paragraph starting at page 4, line 22.

For the foregoing reasons, the application is considered to be in good form for further examination and allowance.

Prior Art Rejections

The claims have been rejected as being either anticipated by Stanfield or Teare; or obvious in view of Stanfield, Schaub, Hwang, Vinci, LaNeve, Tymkewicz, and Shimizu, considered in various combinations. Considering the present amendments to claim 1, the rejections are respectfully traversed.

U.S. 5,545,855 (Stanfield) does not disclose a multifunctional tool as claimed. Described is a device for measuring fish weights including a memory for storing and coding measured fish weights. Although the Examiner may consider Stanfield to disclose a “measuring and display device,” there is nothing in Stanfield corresponding to the additional “mechanical hand tool” that is also required by claim 1.

The Examiner argued that the hook in Stanfield constitutes the claimed “mechanical hand tool.” Such an argument fails to consider the actual language of claim 1, which recites “at least one mechanical hand tool” in combination with “at least one measuring and display device for measuring and displaying at least one physical value.” The hook in Stanfield is for holding the fish to be weighed. The entire Stanfield device, including the hook, is the “at least one measuring and display device for measuring and displaying at least one physical value.” There is no separate mechanical hand tool in Stanfield.

Further, Stanfield performs only one function and therefore does not disclose a “multifunction tool” having the two elements recited in the body of claim 1. Stanfield therefore cannot anticipate the claimed invention.

U.S. patent 5,467,656 (Teare) describes a measuring and display device 22 releasably connected by a cable 20 to a sensor in a mechanical hand tool 12. However, the measuring and display device 22 is not “arranged integrally with the hand tool” as recited in claim 1. The multifunctional tool of the claimed invention is not plugged into any exterior device. In contrast, the sensors provided within Teare’s tool are connected over a cable to a data collector, and the coupling to the cable is done through an adapter or plug 24.

The Office Action fails to provide a prima facie basis for the rejection. The Office Action says only that the tool 12 is connected to the measuring and display device 22 “integrally or releasably,” which is self-contradictory or at least fails to explain why the Examiner considers the

two units in Teare to be "arranged integrally." Therefore, Teare fails to anticipate the claimed invention.

The combination of U.S. patent 4,854,045 (Schaub) and U.S. patent 5,883,306 (Hwang) also fails to suggest the invention.

Nothing in Schaub, including the passages at col. 2, line 38, and column 3, line 61 to column 4, line 6, supports any kind of measuring instrument "for measuring and displaying at least one physical value" as recited in claim 1. Thus Schaub does not suggest the invention, and does not suggest any motivation for combining it with U.S. patent 5,883,306 of Hwang.

This patent of Hwang, even if combined with Schaub, would not suggest the present invention, as no mechanical hand tool is mentioned or incorporated within the multi-purpose tool. U.S. patent 5,883,306 describes a multi-purpose tool mainly comprising a display unit for showing tire pressure and a tire tread depth. In addition it describes that the tool further comprises an illuminating unit, and an audible alarm unit for indicating if the measured tire pressure does not fall within a predetermined pressure range. In other words, Hwang's tool is specifically directed to the measurement of tire properties, and to providing an illuminating unit, mainly for measuring the tread depth, e.g. at night. In any event, no mechanical hand tool is described, and no motivation for combining Hwang's tool with a mechanical hand tool.

For all the above reasons, the primary references to Stanfield, Teare, Schaub and Hwang, considered individually or in combination, or even in combination with the secondary references, fail to disclose or suggest the invention now claimed.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 1, 2003:

James A. Finder

Name of applicant, assignee or
Registered Representative

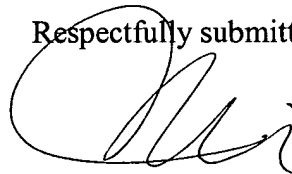
Signature

August 1, 2003

Date of Signature

JAF:msd

Respectfully submitted,



James A. Finder

Registration No.: 30,173

OSTROLENK, FABER, GERB & SOFFEN, LLP

1180 Avenue of the Americas

New York, New York 10036-8403

Telephone: (212) 382-0700